

Entertainment in village halls

This information sheet aims to provide enough information for the management committee of village halls and similar community buildings to decide whether they need to licence their building for entertainment. It considers licences for music copyright and Temporary Event Notices.



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Introduction

Village halls and similar community premises management committees need to consider whether: (a) regulated entertainment in their premises needs a Premises Licence for the entertainment to take place and (b) which licences are needed for copyright purposes. This information sheet aims to provide enough information to help a hall committee to decide. If further detailed guidance is needed, please contact your local ACRE Network member or your local authority licensing department.

Where a village hall committee wishes to sell or supply alcohol at an event in the hall they should refer to ACRE Information Sheet 10, Alcohol in village halls. Basic information on Temporary Event Notices (TENs), the commonly used licence for the sale of alcohol in a hall, is included at section 9 in this Information Sheet.

Throughout this Information Sheet, the term 'village hall' will be used. In the context of this Information Sheet it means any village hall or similar community premises.

There have been a number of significant changes in the last decade to entertainment licensing in line with Government policy to remove unnecessary regulations and burdens on the voluntary sector and business, and in particular to cut red tape to encourage the performance of live music and to reduce licensing burdens on other forms of regulated entertainment.



1. Licensing Act 2003

The Licensing Act 2003 (the Act) came into effect in November 2005; it introduced a single integrated system to regulate the provision of entertainment to the public (or in private where a charge is made with a view to profit), the sale or supply of alcohol, and the provision of late-night refreshment.

There are four objectives under the Act:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Regulated entertainment refers to:

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment (indoor and outdoor)
- a performance of live music
- any playing of recorded music
- a performance of dance

Technical information about the Act and regulated entertainment is given in the Government's publication Guidance issued under Section 182 of the Licensing Act 2003. This Guidance is available on the Government website: www.gov.uk.

Your local authority licensing department will be able to assist you.

2. Do village halls need to hold a premises licence for entertainment purposes?

Many village halls will not need a Premises Licence for entertainment purposes. However, a Premises Licence will still be required for:

- any entertainment between 11pm and 8am
- any entertainment to an audience of more than 500 people
- any exhibition of a film, where the intention is to make a profit, including raising money for charity (i.e. it is not a film club, film society, or local social group screening – see cinema section below).
- Any boxing or wrestling entertainment

For a performance of live music, the playing of recording music, or an exhibition of a film, the village hall management committee must give prior written permission to the organiser for the entertainment activity to take place in the hall. This is a legislative requirement. This can be done through the use of a formal hiring agreement. For an exhibition of a film, the hiring agreement should also stipulate that the organiser is responsible for ensuring that each screening abides by age classification ratings.

ACRE's Model Hiring Agreement provides the necessary permissions.

A village hall will, though, continue to need a Premises Licence for:

- the sale of alcohol, i.e. sale by retail of alcohol to any person
- the provision of late night refreshment, i.e. sale of hot food or drink between 11pm and 5am

3. What about music entertainment and potential noise nuisance?

The management committee should seek to ensure that any

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music entertainment will not amount to anti-social noise nuisance. Where a village hall holds a Premises Licence that includes the sale of alcohol then, should problems arise, the licensing authority can review the premises licence. All halls should be aware that Environmental Health Officers have powers to deal with statutory noise nuisance.

4. If the village hall already has a Premises Licence for entertainment purposes only?

ACRE recommends that where a village hall holds a Premises Licence for regulated entertainment, because it was required to prior to changes in 2015, it maintains that licence. There is no fee to pay and the application process can be burdensome.

The Premises Licence:

- provides hirers with confidence that the village hall committee has considered provision of all types of activity in the hall
- demonstrates that the village hall committee has considered and met public safety provisions
- requires no annual fee for a licence for regulated entertainment at the village hall, but fees may be introduced in the future
- does not need to be renewed. A premises licence has effect until such time as it is revoked, or, if obtained for a limited period, the end of that period.
- provides the village hall committee with the option to amend the licence (a licence variation) to include the sale of alcohol in the future, should the volume of activities require it.

5. Fees

No fees may be charged for a premises licence or licence variations where the licence covers only regulated entertainment for village halls, parish or community halls, church halls, chapel halls or other similar buildings.

A Temporary Event Notice (and fee) may be needed where the entertainment activity is licensable (see above) or alcohol is to be sold at the event and it is not already covered by the relevant premises licence for the hall.

Fees will be charged for a premises licence for a hall which includes the sale of alcohol. The fees are set by the Government, but your local licensing authority will be able to advise you.

6. Music Copyright Licensing

Under the Copyright, Designs and Patents Act 1988, a licence is required if music is played and performed in public.

There are two music licensing bodies:

PPL UK licenses the playing of sound recordings with the royalties going to the artists, performers and recording companies.

PRS for Music licenses the public performance of musical compositions with royalties going to the songwriters, composers and music publishers.

Community buildings tariffs

Community buildings for the purposes of the PPL and PRS for Music tariffs are defined as “Community buildings run by voluntary organisations such as community centres, village/memorial/parochial halls, separate church halls serving the community at large, women’s institutes, welfare institutes and comparable premises”.

It doesn't include the following types of buildings, each of which would require a different tariff:

- charity shops
- buildings used by sports clubs
- buildings run by statutory bodies (including Parish Councils)

The community buildings tariffs only apply to buildings with a maximum 'defined income' of £75,000.

For more details on these tariffs visit the websites for PRS for Music and PPL UK Ltd.

Fees for the Community buildings licence

The joint licence is administered by PRS for Music, acting on its own behalf and on behalf of PPL. PRS for Music will continue to be your joint point of contact for any queries or changes regarding your licence, and you will receive one invoice detailing the fee for each collecting society.

The fees will be 1% of defined income to the building, for each

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of the two collecting bodies

Where the defined income is less than £10,000, there will be a flat-fee of £46.50 for the PPL portion of the fee. The PRS for Music royalty is subject to an annual minimum of £46.50.

Defined Income

Income should include:

- Door takings and similar takings of the host voluntary organisation (the community association or management committee);
- Hiring charges received from hirers of the building (but not the door takings of those hirers if retained by them);
- Subscriptions;
- The net contribution from food and bar takings where they accrue to the voluntary organisation.

Income should NOT include:

- Value Added Tax;
- Capital grants;
- Revenue grants;
- Interest from accounts;
- Gifts and donations whether or not specified by the donor for a particular purpose (such as capital building work or assets, legacies and bequests).
- Income from other owned assets unrelated to the community building itself (e.g. car parks, managed woodland, equipment hire, catering businesses with off-site sales/distribution, sales of renewable electricity, hosting recycling bins, hiring out of sports fields where hirers do not use building);
- Proceeds from the sale of donated goods; contracts for the delivery of public services, particularly where such income has replaced a grant.

Sub-leasing space

Where a separate organisation or business has a permanent agreement (through a lease or occupational licence) with the

main organisation for some of the space in their community building, the main organisation for permanently dedicated area in their community building can choose to make the separate organisation responsible for their own licensing arrangement, as the space is not their direct responsibility. In this case, the main charity would not include any income from rental charges to that organisation within their calculation of the licence fee. Please note that this does not apply where it is let to a wholly owned trading company.

Other tariffs

There are a number of other options for organisations who do not wish to take a licence under the community buildings tariff or are above the threshold of £75,000 defined income.

For both the PRS and PPL licences, discounts and one-off licences may be available. Do ask about discounts, especially for fundraising or community events, and you might find a one-off licence works out cheaper if your organisation only uses copyright music at a small number of events per year.

Further information can be found on the PRS for Music and PPL UK Limited websites, although ACRE Network members report that hall committees need to make a strong case for not using the Tariff CB.

ACRE is aware of the strongly held views that the current Community Buildings Tariffs should be related to the actual playing and performance of music that takes place in the building rather than a blanket 1% of income. If you have specific problems or queries, please contact your local ACRE Network member.

PPL licence: not needed by all buildings

Commercial hirers need their own PPL licence if they use PPL-controlled music. Community buildings must include income from such sources in their defined income calculation BUT if the only use of PPL-controlled music in the building is by commercial or private hirers then the hall does not need its own PPL licence. The licensing bodies advise community buildings to check that their hirers have the appropriate licences.

Community buildings can pass the responsibility for getting a PPL licence on to their hirers (even charitable groups) if they wish, as long as the hiring agreement contains a suitable clause that explicitly states it is up to hirers to ensure they have all the necessary licences and permits for their activities. (Note: this is

Films hired at a local store are only intended for home use and should not be used for public showings.

case history, not official guidance.)

When is a licence not required?

Community buildings require no copyright music licence if no copyright-controlled music is played at all, or if the only use is:

- Through a jukebox (these need a separate licence)
- At private functions/parties (see extract from PRS website)
- For sacred worship
- For wedding ceremonies, civil partnership ceremonies, civil ceremonies, religious ceremonies
- For medical music therapy

Extract from PRS website:

PRS for Music does not make a charge for functions of a purely domestic or family nature, such as wedding receptions, christening parties or domestic birthday parties, when:

- Attendance of guests is by personal invitation only (except for staff, performers, etc.)
- The function is held in a privately-booked room, not at that time open to the general public
- There is no form of charge made for admission
- There is no financial gain to the function's organiser or host (e.g. the person hiring the venue)

7. What about village cinema?

Many village halls provide cinema which offers communities the opportunity to view films that would otherwise only be available in multiplex cinemas in large towns, to and from which there is unlikely to be late night transport. In some areas local authorities may invest in equipment and films that can be hired by hall committees or a group of halls could form a hub and jointly purchase equipment.

It is not necessary to hold a Premises Licence for the exhibition of a film in a hall provided that the conditions of the deregulation are met:

- The film is shown in a hall between 08.00 and 23.00 hrs and the audience does not exceed 500.
- The film is not provided with a 'view to profit'.
- The organiser gets consent to the screening from the hall committee (this is most likely to be through a formal hiring agreement).
- The organiser ensures that each screening abides by the age classification rating for the film

The condition that the film entertainment is not being provided with a 'view to profit' is explained in the Government guidance as follows. 'An entry charge does not of itself make the film entertainment licensable; it is whether the organiser intended to make a profit (that includes raising money for charity). A charge or contribution that is made solely to cover the costs of the film screening is consistent with 'not being provided with a view to profit'. The 'not with a view to profit' condition applies solely to the activity of exhibiting the film under this exemption. A charge with a view to making a profit may legitimately be levied for any other activity or event that is distinct from film admission, such as the provision of refreshments, film talks, or a social event'.

However, hall committees will still need to be aware of the laws under the Copyright, Designs and Patents Act 1988 and pay the appropriate fees. Films hired at a local store are only intended for home use and should not be used for public showings.

PRS and PPL

Film screenings in community buildings require a PRS licence but not PPL. This is because the record companies wrap their PPL rights in with the film screening licence.

ACRE Information Sheet 3: Providing services in village halls provides detailed guidance on setting up film and cinema in village halls and provides details of licences available under copyright laws.

Late TENs (those submitted fewer than 10 days but at least 5 days) will be allowed unless the police or environmental health officers object.

8. Halls owned and managed by local authorities

Local authority owned and managed properties do not need a Premises Licence for any entertainment provided on their own premises between 08.00 and 23.00, by or on behalf of a local authority. This means that a parish council owned and managed hall (not a hall where the parish council is the custodian trustee) does not have any restrictions on the provision of entertainment except for live or recorded music which has to be between 08.00 and 23.00 with an audience of fewer than 500 and the organiser needs the consent of the local authority concerned.

9. Temporary event notices (TENs)

A Temporary Event Notice (TEN) can be used to:

- licence entertainment outside the hours allowed under the deregulation.
- to provide alcohol at the event.

Hirers using the hall for entertainment at social events will often want to provide alcohol. A TEN can be used where the hall does not have a Premises Licence that includes alcohol.

Village hall committees need to monitor and control the numbers of TENs obtained by hirers to ensure all events throughout the year are catered for. This can be done by adopting a written hiring agreement which requires hirers to notify the committee if they intend to obtain a TEN. This can be done alongside providing the authority for any entertainment taking place. The hiring agreement will also reserve the right to cancel the booking if the conditions are breached.

Where alcohol is to be supplied it will be a condition of the TEN that supplies will be made under the authority of the 'premises user' (hirer). Premises users are not required to be on the premises for the entire duration of an event but remain responsible if the event is not adequately managed or supervised.

10 things a village halls committee needs to know about TENs

1. A TEN has to be given on a prescribed form that sets out which licensable activities will be held, the dates, times and numbers permitted to attend.

2. No more than 499 people may be allowed on the premises.
3. There are limits on the numbers of TENs which can be given, as follows:
 - No more than 15 may be given for any one premises per calendar year, covering no more than 21 days in total.
 - Each TEN can last for no more than 168 hours.
 - No more than five TENs p.a. can be obtained by any individual unless they hold a personal licence, in which case no more than 50 can be obtained p.a.
 - The person giving notice of a TEN must be aged 18 or over.
4. A minimum of 24 hours must elapse between the ending of one TEN and the start of another if given by the same person for the same premises. For example a TEN given by the WI president for a cheese and wine party on a Friday night need not prevent a TEN being given for an event on the Saturday provided she (or her family) is not giving both TENs.
5. A copy of the TEN must either be prominently displayed at the premises during the event or, if not, it must be on the premises and a notice displayed to the effect that a TEN is held and giving the name of the person holding the TEN. The police and local authority have rights of entry to the premises to assess the likely effect of the TEN on crime prevention.
6. The TEN must be given to the licensing authority and chief police officer no later than ten working days before the day on which the event begins. If the police believe that the event would undermine crime prevention they may give a counter notice to the local authority and premises user. If a counter notice is issued, the local authority must convene a hearing and decide whether the event may proceed, unless the police and premises user agree alterations to the TEN. Late TENs (those

submitted fewer than 10 days, but at least 5 days before the beginning of the event) will be allowed, unless the police or environmental health officers object.

7. TENs obtained by publicans to run a bar at wedding receptions or other private events, as well as public events and events held by voluntary organisations must be included in the limit of 15.
8. Several events can be notified at the same time, so long as the first event is ten days away. The fee for each TEN is £21, whether or not several notices are given at the same time.
9. Only one TEN needs to be given for New Year, even though it may straddle two calendar years, as a TEN can last for up to 168 hours. However, it will count towards the limits for both years.
10. Premises owners i.e. village hall management committee can give the licensing authority a notice of their interest in the premises. Licensing authorities will then notify them when a TEN is received.

Under the Deregulation Act 2015 the TENs limit increased to 15 per calendar year from January 2016.

Sources of further information and advice

The ACRE Network provides an information and advice service for village hall management committees through its network of village hall advisers.

Contact details are available on the ACRE website www.acre.org.uk

ACRE produces a range of village hall publications and information meets to support this service which are available from your local ACRE member.

ACRE publications that may be of interest to readers of this information sheet are listed below:

- Information Sheet 3: Providing services in village halls
- Information Sheet 10: Alcohol in village halls
- Information Sheet 29: Bingo in village halls
- Information Sheet 33: Gaming and lotteries

ACRE Model Hiring Agreement

Useful contacts

PRS for Music

Email: customerservice@prsformusic.com

Telephone: 0800 068 4828

[Tariff details](#)

www.prsformusic.com

National Rural Touring Forum (NRTF)

Email: admin@nrff.org.uk

www.ruraltouring.org

PPL UK Ltd

Email: info@ppluk.com

Telephone: 020 7534 1450

[Tariff details](#)

www.ppluk.com

From Government

Website:

[Information about alcohol licensing](#)

[Information about entertainment licensing](#)